

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

JUN 27 2017

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANE MICHAEL SAUNDERS,

Defendant.

CR 17-11-M-DWM

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on June 8, 2017. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Lynch recommended this Court accept Shane Michael Saunders’ guilty plea after Saunders appeared before him pursuant to Federal Rule of

Criminal Procedure 11 and entered a plea of guilty to one count of attempted coercion and enticement in violation of 18 U.S.C. § 2422(b), as set forth in the Indictment. Defendant further admits the forfeiture allegation.

I find no clear error in Judge Lynch's Findings and Recommendation, (Doc. 34), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will review the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Shane Michael Saunders' motion to change plea (Doc. 26) is GRANTED and Shane Michael Saunders is adjudged guilty as charged in the Indictment.

Dated this 27th day of June, 2017.



Donald W. Molloy, District Judge
United States District Court